

9/27
Limit AM
cases; 1 hr
hr @ 10:30

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON CALENDAR - OCTOBER 1, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: **Debtors:** **Case Nos.:** **Trustees:**

9:30 A.M. - PRE-TRIAL CONFERENCES

Slavin	JAMES W. DONALDSON, JR. - Ch. 7	7-02-01861	Wick/
	A/P No. 7-02-00107: Determine dischargeability of debt		SO
	CitiBank, South Dakota, N.A. (Fitzpatrick) v. Debtor		

10:00 A. M. - MISCELLANEOUS

J Jessee	GEORGIA OSBORNE-ch7	7-02-02959	Callahan/SL
	Motion #1: Avoid lien - filed 8/29; d/e # 12, 13		
	Debtor v. Citifinancial		
	-ORDER of 9/25 avoiding lien, cancels hearing		

Copeland	STEPHANIE MINTON-ch7	7-02-02765	Wick/SL
	Motion #1: Avoid lien - filed 8/29; d/e # 13, 14		
	Debtor v. TICO Credit Co, Inc		

Fleenor	GARY & TERESA POE-ch7	7-02-02767	Wick/NS
	Motion #1: Avoid lien filed 8/30; d/e # 11, 12		
	Debtors v. Beneficial Mortgage Co of Va.		

Motion #2: Avoid lien filed 9/3 [d/e # 14]
Debtors v. Washington Mutual Finance ()

10:00 A. M. - MISCELLANEOUS

Gifford	KENNETH & DEBORAH HANCOCK-ch7 Motion #3: Relief - filed 8/30; d/e # 54, 55, 56 Miners Exchange Bank (Copeland) v. debtors & trustee	7-02-00629	Wick/SJ
Carroll	GARLAND & DEBBIE MILLER - Ch. 7 Motion # 1: Avoid lien Debtors v. Beneficial Virginia, Inc. () —ORDER of 9/19 avoiding lien, cancels hearing	7-02-03149	Wick/S
Arey	GLENN, JR., & MELISSA MANNING - Ch. 7 Motion # 1: Relief filed 9/3 Deutsche Bank National Trust (Sasser) v. Debtors & Trustee —ORDER of 9/27 granted relief (agreed); cancels hearing	7-02-02194	Wick/S
Jackson	BRADLEY CROTTS - Ch. 7 Motion # 1: Relief filed 9/3 [d/e # 20] Mitsubishi Motors Credit of America, Inc. (Van Beek) v. Debtor & Trustee —Agreed Order granting relief entered 9/16 [d/e # 24]	7-02-02297	Wick/NS
Leonard/ Jessee	MARTY EADS - Ch. 7 Motion # 3: Relief filed 9/3 [d/e # 22, 23, 24] First Horizon Home Loan Corporation, f/k/a Ft. Mortgage Companies (Wood) v. Debtors & Trustee	7-02-03055	Callahan/SL
Fleenor	ROBERT & ZINA MITCHELL-ch7 Motion #3: Avoid lien - filed D/e # 26 Debtors v. Regency Finance Company, Chuck Blevins, manager —ORDER of 9/27 (default) granted relief, cancels hearing	7-02-02204	Wick/JM
Snodgrass	WILLIAM & MARTHA VANNOY-ch7 Motion #1: Relief - filed 9/6; d/e # 10, 11 Homecomings Financial Network (McQuiddy) v. debtors & trustee	7-02-03147	Wick/NS

10:00 A. M. - MISCELLANEOUS

Carmody DOUGLAS & PAMELA TAYLOR-ch7 7-02-02532 Callahan/SJ
Motion of Debtors to redeem Property upon which Americredit holds lien
'99 Oldsmobile Alero, filed 9/6; d/e # 18
*—see courts letter of 9/25; no allowed secured claim filed on behalf of Americredit;
val. mot needs to be filed.*

note: addtl redemption Mot (Schewel furn.) Scheduled for 10/30 @ 10

Beck ANTAEUS TECHNICAL SERVICES, 77-99-02114 Copeland/VS
Approval of Fees for Simon & Associates, an engineering firm employed
by the Trustee, in the amount of \$5,007.50 and expenses of \$241.50 [d/e # 275, 278]
(No objections filed 5 days before hearing, Motion is approved)

Carroll JAMES & MICHELE KOGER - Ch. 7 7-02-02898 Callahan/AF
Motion # 1: Relief filed 9/12 [d/e # 11]
Household Realty Corp. of VA (Zimm) v. Debtors & Trustee
(No prehearing order—under 20 days' notice)7

10:30 A. M. - MISCELLANEOUS

Copeland **S T & J, INC. - Ch. 11 7-01-03411 DIP/VS
note: discl stmt hrg set on 10/30 @ 11; hrg on discovery issues set by ord 9/6; d/e # 99
Oral Argument (**reserve 1 hr**) on Debtor's Motion to Compel Discovery; Motion for
ruling on Coleman Oil's General Objection to Discovery Requests & Specific Objection
to each Discovery Request; Motion for Extension of Cut-off Date for Discovery, d/e #
100 (E. Whitesell, special counsel)

11:00 A. M. - MISCELLANEOUS

Copeland **S T & J, INC. - Ch. 11 7-01-03411 DIP/VS
Motion of Coleman Oil and Food Express (Joyce) for Protective Order and to
Quash Subpoena issued by Debtor filed 9/19; d/e # 105
Response of Debtor (Whitesell) to Motion filed 9/25; d/e # 108

Debtor's Motion for Rehearing Motion to Require Debtor to Assume or Reject
Executory Contract and Motion for Enlargement of Time [d/e # 88 , 94 & 96]
Response of Coleman Oil (Beck) l) to Motion filed 9/20; d/e # 106

11:00 A. M. - MISCELLANEOUS

Copeland	GEORGE S. PATTON-chll	7-02-01131	DIP/VS
	Showcause if debtor fails to file Discl. Stmt & Plan by 9/10 pursuant to 7/23 hrg Order of 8/13 directing Debtor to file Discl. Statement & Plan by 9/10 or appear for a show cause hearing [d/e # 62]		
	<i>Discl. & Plan filed 9/10; Disc. Set 10/30 @ 11</i>		
Copeland	EDGAR & HATTIE SHAFFER - Ch. 11	7-01-04468	DIP/AF
	U. S. Trustee's (Garber) Showcause IF debtor fails to comply with order Directing cure of deficiencies and filing of all reports 15 days from 9/4 hearing on re: <i>mot to compel d/e # 81, filed 8/2 and heard 9/4</i>		
	Motion to Dismiss or Convert filed by U. S. Trustee (Garber) [d/e # 85] filed 9/16 with Motion to Shorten Notice Requirement [d/e # 86]		
Copeland	CORBIN COAL INC-chll	7-02-00039	DIP/MC-PR
	Confirmation of Ch 11 Plan [d/e # 65] OBJECTION: IRS (Eckert) filed 9/23; d/e # 68		
Goldstein	ABSHER REALTY - Ch. 11	7-97-01759	DIP/SL
	Confirmation hearing [d/e # 345]		
Copeland	THOMAS DUNN - Ch. 11	7-98-02465	DIP/SL
	Final Report and Application for Final Decree [d/e # 189]		

11:00 A. M. - MISCELLANEOUS

Arkema WOODTECH, INC. - Ch. 11 7-02-02451 DIP/VS

Motion # 2: Relief–filed 9/11 [d/e # 47]
Toyota Motor Credit (Higgs) v. Debtor
Motion to limit notice on hearing (w/proposed order) [d/e # 49]
–Ord of 9/12 granted mot for limited notice

Motion filed by Toyota Motor Credit for an Order requiring Debtor’s
Rejection or Assumption of Unexpired Lease on Toyota 7FGU30-
61357 Forklift Truck; Memorandum of Points and Authorities [d/e # 50, 51]
–pleadings, d/e # 50, 51, located in Motion Jacket #2

Motion # 3: Relief–filed 9/11 [d/e # 52]
Toyota Motor Credit (Higgs) v. Debtor
Motion to limit notice on hearing (w/proposed order) [d/e # 54]
–Ord of 9/12 granted mot for limited notice

Motion filed by Toyota Motor Credit for an Order requiring Debtor’s
Rejection or Assumption of Unexpired Lease on Toyota 7FTU30-
61055 Forklift Truck; Memorandum of Points and Authorities [d/e # 55, 56]
–pleadings, d/e # 55 & 56 located in Motion Jacket #3

Motion # 4: Relief filed 9/11 [d/e # 57]
Toyota Motor Credit (Higgs) v. Debtor
Motion to limit notice time on hearing (w/proposed order) [d/e # 59]
–Ord of 9/12 granted mot for limited notice

Motion filed by Toyota Motor Credit for an Order requiring Debtor’s
Rejection or Assumption of Unexpired Lease on Toyota 52-6FGU35-60978
Forklift Truck and Toyota 7FGU30-61056 Forklift Truck; Memorandum of
Points and Authorities [d/e # 60, 61]
–pleadings d/e # 60 & 61, located in Motion Jacket # 4

Motion #5: Relief–filed 9/11 [d/e # 65]
Toyota Motor Credit (Higgs) v. Debtor
Motion to limit notice time on hearing (w/proposed order) [d/e # 67]
–Ord of 9/12 granted mot for limited notice

Motion filed by Toyota Motor Credit (Higgs) for an order requiring Debtor’s
Rejection or Assumption of Unexpired Lease on new Bobcat Model 863B;
Memorandum of Points and Authorities [d/e # 68, 69]
–pleadings d/e # 68 & 69, located in Motion Jacket #5

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen	TERRY LYNN HOLIDAY- Plan filed 6/27; d/e # 6	7-02-02730	Widener/PR
Lamie	DEBORAH SANDEFUR Plan filed 7/3; d/e # 6	7-02-02796	Widener/JJ
Timoney	RICHARD HAWKS Plan filed 7/3, d/e # 6	7-02-02801	Widener/VS
Gifford	ROBERT & MARY BREWER-ch13 Plan filed 8/19; d/3 # 26, 26 Trustee Show Cause on Dismissal or Conversion [d/e # 16] and objection to plan by First Va. Mortgage <i>contd fr 9/4</i> OBJ: First Va. Mortgage Co (Hathaway) filed 9/20; d/e # 34	7-02-02462	Widener/SJ
Lowman	JOHN BRACKETT, JR.- Ch. 13 Plan filed 5/30, d/e # 5; <i>contd fr 9/4; tr. may confirm prior thereto & cancel hrg if documents provided at 9/4 hearing satisfactory to resolve Obj)</i> Trustee report, OBJECTION and showcause: Dismiss/convert, filed 8/7, d/e # 18	7-02-02282	Widener/SJ

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Fleenor	RUFUS & BETTY MURRAY-chl3 Mod Plan filed 8/5; d/e # 50, 51 Trustee's motions (d/e #17, 23, 31, 37) contd from 6/5 & 8/7 to hear w/mod plan	7-01-04667	Widener/NS
Pro se	RICKY HAMPTON -CASE DISMISSED 8/23/02 (§109g)	7-02-02857	Widener/NS
Gifford	MARVIN & PAMELA CAIN-chl3 Mod Plan filed 5/21, d/e # 29, 30, <i>contd from 6/19 & 8/21</i> Obj: Homeside Lending fka BankcBoston , filed 5/24 d/e # 38; (Patterson/Harman) Motion of Trustee: Convert-dismiss; contd from 5/7 , 6/19 & 8/21 to hear w/mod plan	7-02-00486	Widener/JJ
Largen	STEPHEN KREJCI-chl3 Mod Plan(#5) filed 8/6; d/e #68, 69 Trustee's Motion to dismiss/convert filed 7/5; d/e # 67; contd fr8/7 to hear w/mod plan Trustee's Motion to Dismiss/Convert filed 8/8 [d/e # 70, 71]	7-00-01965	Widener/MC-PR
Hutchinson	MAE MOORE - Ch. 13 Mod. Plan filed 8/8 [d/e # 16, 17] CASE DISMISSED 9/5 (unopposed) PURSUANT TO TR. MOT. HEARD 9/4	7-02-02498	Widener/AF
Via	NORMAN & RITA TEASTER - Ch. 13 Mod. Plan filed 8/13 [d/e # 50, 51]	7-02-01319	Widener/VS

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson	JAMES WALKER-chl3 Plan filed 8/2; d/e # 11 Trustee OBJECTION; showcause: dismiss/convert, filed 8/21, d/e # 14	7-02-02884	Widener/AF
Lamie	WILLIAM CLAYMAN-CHL3 Plan filed 7/23; d/e # 6 Trustee's Obj , report and showcause on dismissal filed 8/21, d/e # 14 <i>Note: Mod Plan filed 8/29; d/e # 19; & amendment to Schedules, d/e # 20 (was not scheduled for new conf hrg as only change is surrendering property to Daimler Chrysler)</i>	7-02-03012	Widener/SJ
J Jessee	DARRELL BREEDING-chl3 Plan filed 7/23, d/e # 6 Trustee report, OBJECTION & showcause: dismiss/convert, filed 8/21, d/e # 16 OBJ: Citicapital Commercial Corp fka Associates Commercial Corp (Friedberg) Filed 9/23; d/e # 21	7-02-03003	Widener/PR
Largen	MARK HARDING - Ch. 13 Mod. Plan filed 8/14 [d/e # 35, 36, 37] Objection: Highlands Union Bank (Hutton) [d/e # 33] <i>contd from 8/21</i> The First Bank and Trust Co. (Hutton) [d/e # 32] <i>contd from 8/21</i> Trustee Show Cause on Dismissal/Conversion [d/e # 21] <i>contd fr 7/3</i> Trustee OBJECTION; showcause: dismiss/convert, filed 8/14; d/e # 34- <i>contd fr 8/21</i>	7-02-00037	Widener/NS
H. Brown	ROCKY WALLS - Ch. 13 CASE DISMISSED 9/5 ON TRUSTEE MOT. HEARD 9/4 w/no appearance of debtor or counsel	7-02-02689	Widener/AF

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen	DAVID TAYLOR-chl3	7-02-02797	Widener/NS
	Amended Plan #1 filed 8/22, d/e # 16, with c/s all creditors		
	Trustee Report, OBJECTION & showcause: dismiss/convert, filed 8/21, d/e # 18		

Motion for Valuation: 2001 Chev. Cavalier: Transouth Financial, filed 8/22; d/e # 17

Motion #1: Avoid lien - filed 8/22; d/e # 18 & 19
Debtor v. American General Finance of America

Jessee MICHELLE HAYS - Ch. 13 7-02-02252 Widener/SJ
Plan filed 5/29, d/e # 6
Objection: Trustee w/Report and Show Cause for Dismissal or Conversion [d/e # 15]

Motion of Debtor to Disburse Funds to Statutory Lien Holder
(*Pmt of funds to S.S.A. for repayment of disability overpayment*)

1:00 P.M. - MISCELLANEOUS HEARINGS

Lamie	BOBBY & BRENDA VENCILL-chl3	7-01-04512	Callahan/SJ
	Obj of debtor to Claim #1 of GE Capital CPL debt satisfied by sale of leased equipment of debtor corporation and lease not assumed <i>filed 8/14; d/e # 52</i> <u>Response of GE Capital Colonial Pacific Leasing by counsel, William Tunner, Esq.</u> <i>–ORDER of 9/24 of recusal – set Cl #1 for hearing before Judge Krumm on 10/10</i> <i>at 3:00 p.m. (Via Video Conference)</i>		

1:30 P.M. - MISCELLANEOUS HEARINGS

Lamie	KENNETH & PATRICIA PROFFITT - Ch. 13	7-01-01502	Widener/SJ
	Motion # 2: Relief filed 9/4 [d/e # 22]		
	U. S. Dept. Of Agriculture Rural Housing Service (Eckert) v. Debtors & Trustee		
	ANSWER filed by Debtors 9/9 [d/e # 24]		

1:30 P.M. - MISCELLANEOUS HEARINGS

Carmody	DENNIS LONG-chl3	7-01-03702	Widener/SJ
	Motion #1: relief - filed 9/5; d/e # 32, 33		
	USA-Rural Housing Service (Eckert) v debtor & trustee		
	ANSWER filed by Debtor 9/11 [d/e # 34]		

2:00 P.M. - MISCELLANEOUS HEARINGS

Dickey	HEATH & MISTY SNOW-chl3	7-00-01956	Widener/JJ
	Motion #2: Relief - filed 5/8; d/e # 34, 35, 36 <u>contd from 8/21</u>		
	Vanderbilt Mortgage and Finance (Higgs) v. debtors & trustee		
	<i>-response of debtors filed 5/16; d/e# 37</i>		
	<i>-notice of further hearing filed 7/19; d/e # 40 (consent order not forthcoming)</i>		

Carmody	IVEY REED - Ch. 13	7-00-03959	Widener/SL
	Motion # 2: Relief- filed 6/27 [d/e # 40]; contd from 7/23 & 8/7 [# 47]		
	Option One Mortgage Corp. (Goldberg) v. Debtor & Trustee		
	(Motion to extend automatic stay filed 6/17 w/proposed order) [d/e # 41]		
	<i>-Answer of respondent filed 6/26, d/e # 44'</i>		

Harman	GEORGE & BARBARA HELMANDOLLAR-	7-02-02488	Widener/AF
	Motion #3: Relief - filed 9/9; d/e # 38, 39		
	Bank One West Va. NA (Neyhart) v. debtors & trustee		
	-ORDER (agreed) of 9/19 granted relief, cancels hearing		

Timoney	PATRICIA WILSON - Ch. 13	7-00-04051	Widener/VS
	Trustee's Motion to Dismiss Case or Convert to Ch. 7 [d/e # 57]		

2:30 P.M. - MISCELLANEOUS HEARINGS

Copeland	BRAVEHEART, INC-ch7	7-00-03070	Callahan/NS
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 31, 32		
Money	JOSEPH FRANCIS-ch7	7-01-00208	Callahan/AF
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 29, 30		
Collins	RICHARD WEATHERLY -ch7	7-01-03225	Callahan/SL
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 39, 40		
Copeland	GARRY CARROLL TRUCKING INC-ch7	7-00-03935	Callahan/SL
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 105, 107		
Money	JOSEPH FRANCIS-ch7	7-01-00208	Callahan/AF
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 29, 30		
Rhue	JAMES BALL-ch7	7-99-02518	Callahan/AF
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 67, 69		

2:30 P.M. - MISCELLANEOUS HEARINGS

Proctor	DOUGLAS PRUITT-ch7	7-01-03088	Callahan/AF
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 55, 56		
Harris	JEFFREY ROARK=-ch7	7-02-01110	Callahan/VS
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 44, 48		
Copeland	SHELCY & ELLA MULLINS-ch7	7-00-03919	Callahan/VS
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 52, 56		
Large**	GARY & ANGELA ROSENBAUM-ch7	7-00-04193	Callahan/PR
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 38, 39		
	**Counsel by o/e 4/24 removed; no new atty appointed		
Copeland	FRANKLIN SUTHERLAND-ch7	7-01-03593	Callahan/PR
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 85, 87		
Proctor	ARMONA MULLINS-ch7	7-01-04043	Callahan/PR
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 69, 71		

2:30 P.M. - MISCELLANEOUS HEARINGS

Carmody	WILLIAM & MARGARET ENLOW-ch7	7-01-02022	Callahan/SJ
	Obj of U. S. Trustee (Garber) to Application for Employment of LeClair Ryan (William Callahan) as Attorney for Trustee, filed 9/6; d/e # 71, 73		

Callahan	RONNIE HARRIS - Ch. 7	7-02-02906	Callahan/JJ
	Trustee's Motion to Dismiss or Extend Deadline for Objection to Discharge [d/e # 11]		

Arey	MAJER ELSWICK - Ch. 7	7-02-02902	Callahan/SJ
	Trustee's Motion to Dismiss or Extend Deadline for Objection to Discharge [d/e # 11]		